

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF BOSTON

FILED
IN CLERKS OFFICE

2021 AUG -9 PM 12:32

U.S. DISTRICT COURT
DISTRICT OF MASS.

Steven L Smith, All Similarly,
Plaintiff EFFECTED

vs

Major Peter Monteiro, LT. Langston, Docket #

Sheriff Cummings, LT. Johnson

Special OPS Mr. Fordarkian

C.O. Leddin, C.O. Grady, C.O. Rehoer,

C.O. Edwards, C.O. Price, CO. Vascos, August 4, 2021

C.O. Pani, C.O. Joseph, ~~and DeLovery~~,

C.O. Davis, and Chesboro.

(In both official & Ind. Capacity)

CIVIL COMPLAINT

Per U.S.C. § 42 1983

- 1) The plaintiff resides as a pre-trial detainee at Barnstable County Jail, 6000 Sher. Rd PL, Bourne, MA 02532
- 2) The defendants are employed at Barnstable County Jail at same address.
- 3) The plaintiff has a pending lawsuit, Smith vs Lewis CV 3:20-30173 KAR (Unrelated.)
- 4) The plaintiff has filed numerous grievances but most were made moot by transfers to other facility, many more were not answered at all, or returned unanswered.

II

Basically, the grievance system at this facility doesn't work - Many of my grievances were filed on staff members, and as I stated, I either got transferred, had the grievance returned to me unaddressed, or it just went unanswered, or not invalidated.

Never do they find A C.O. guilty!!

Complaint

- (1) My Life has been A living ~~night~~^{MARSH} ever since my arrival to this facility on 7-5-2018. I am charged with child Rape. I Am NOT guilty and my criminal case should soon be dismissed. But I have paid dearly for the false accusations of my alleged victim - here At BARNSTAPLE.
- (2) It began At my booking, when C.O. Brady, loudly told another C.O. "We have another sexual offender." I objected and told him I'm NOT guilty. He said, "Sure, And I Am Santa Claus!"
- (3) I was processed in a degrading manner taken to strip, off camera, by the glares I got, I was scared. I was humiliated as the C.O. kept telling me to bend over more and spread my ass cheeks wider. He threatened if I didn't. I believe it

III

was. C.O Kohoe but it's been 3 years.

- (4) I went to seg for classification. One day later I got sent to A population unit. Soon as I entered C.O. Chesbros asked if my name is Smith. I said yes. I went to my cell and told my cellmate I'm here for theft. But I knew the C.O. was up to something, so I kept at the door. I seen C.O. Chesbros talk to the worker, A huge white guy with tattoos. As they spoke, they locked up towards me. Soon the worker was at my door, "You got to go to P.C. - You're a Skinner!" At this point, Numerous inmates were at their doors yelling, "Rapist!" "Faggot! You're dead! I will Fuck you like you did that little girl." Skinner! Maggot!" MT-MT-MT - Goodbye! I ended up in G-UNIT. Ad Seg.

- (5) Where C.O. ~~DALE~~ Edwards and Joseph and Numerous other C.O.'s told inmates my charges. They banged, screamed, and overall tormented me - with similar threats, sexual comments, basically whatever worst idea in their mind that I did - They would say so, out loud, without any fear of sancion. C.O.'s like Edwards, Price, Laddis, Raini, Vassca, etc., would just sit watching T.V. Smirking.

IV

I should explain, F-Unit is a small one, of only 10-cells, 5 upstairs and 5 downstairs. A C.O. is stationed at a desk. He can easily hear and monitor everything, and can use the intercom system to listen to any cell. Above him is a T.V. — And They control and watch it.

(6) I filed grievances on C.O.s watching T.V. instead of doing their jobs in/about Sept/OCT 2018. Major Monteiro answered, “You’re filing grievances on my C.O.s watching TV? — You are out of here!!” And I WAS transferred to PLYMOUTH.

(7) Indeed, they would watch T.V. instead of telling the inmates that were yelling out their doors and into my vent, that I was a scumbag Skinner that if they got ahold of me they would fuck me like I did to that little girl. Until C.O. Edwards And C.O. Joseph, And C.O. DeOliveira, and others told them — “No, he’s accused of sucking a little boy’s dick” or something similar.

(8) One time, just prior to my Rec period, C.O. Joseph put on Special Victims Sex show — soon as I exited my cell, he clicked the channel and loudly said “OOPS, can’t watch this w/ Smith the child molester out!”

IE

P.C.

- (9) As to Rec, At Seg would get 2½ hours per day—it suppose to be a rotation, as the phones don't go on until 8 AM, but I would Almost Always be woken up at 6 AM for Rec. Inmates would yell, "Don't get me up, Get the Skinner up! It's Skinner's rec time!!" So, sure enough, I would be given Rec at 6 AM—for days straight. I filed grievances and request slips and was always told, "It's the officers discretion." And so all the C.O.s would select me to Rec first, which I assert is retaliation—and that is what it is—Retaliation for the Nature of my charges. By LT. Langston!!
- (10) And As stated, None of these officers would enforce the P.R.E.A protocols or even the mission statement of Sheriff Cummings—that all detainees are to be treated respectfully and most of all, not sexually harassed, Rediculed, And Disparaged.
- (11) The assumption that such abuses could not be stopped is incorrect. These abuses go on, and went on, because these C.O.s are complicit in the Abuse. They find it amusing, Some think its their duty to make me suffer for a horrible crime as

VI

in their mind, I am here, and must be guilty.

(12) More than once, I became suicidal. I was desperate to get moved out G-Unit. But I was only placed in the 1st cell and stripped naked—And was freezing in a gown way too small to cover my body fully. And the bare mattress was disgusting and peels of fire retardant paint stuck to my body, all over, like glitter, and got into my eyes, mouth, and nose.

(13) I filed a grievance on these 7-10 year old mattresses—but as always—it went into a wastebin.

(14) It's difficult to describe the miserable way I felt being vilified, ostracized, and degraded—I can't think of anything worse than to be innocent yet called a child rapist, Skinner, etc., every day.—And some days, it would go on for hours. The inmates would only stop harassing me when their throats grew sore.

(15) I am NOT the only inmate here at Barnstable, with sex charges, that has experienced this mistreatment. I will summons Mark Rosenfield, ~~Mark Rosenfield~~, ~~Mark Rosenfield~~ and any inmate similar!!

VII

It's the same gallery of corrupt officers!

Gandy, Edwards, Price, Paine, DeOliveria,
Coleman, etc - basically all the C.O.s that
are under 30 years of age!!

- (16) I have filed numerous grievances but it
doesn't change anything. This was going on in
2018 and still goes on...
- (17) I got beat up at Plymouth and sent back
here.
- (18) I filed a P.R.F.A on C.O. Laddin. He yelled
out on tour, "SMITH GET YOUR FINGERS OUT OF
YOUR ASS!" I was scratching - I have an
infection on my buttocks!! His remark, caused
numerous inmates in P.C. Unit to scream,
yell, and mine anal penetration while
shouting "Finger Blaster!" and "Faggot!" and
the usual "Skinner" and "Child molester!"
Far up until I got transferred, I could not
leave or return to my cell without the
sentenced inmates screaming and carrying on
as described !!
- (19) During this time, Michael Potelo was my
cellmate - a vile, admitted, pedophile. He
would constantly tell me about his ex-
cellmate, Cramer, wanting sex with him.

VIII

It was sick. Cramer is like 20 and Pobelo is 50. He wanted me to say I heard Cramer ask to blow him! And offered to pay. He was extorting Cramer with the threat to file a P.R.E.A on him! I agreed only to get 30.00 and him gone out my cell. I felt it was punishment to ever be put into a cell with him!! Nobody wanted him as a cellmate and given his sickness should been alone. When called to testify for him, I told the truth. He paid me to lie - and I'm not doing that!! Instead, I told them how he stalked young men at the P.C. Plymouth dorm!!

To get even, he provided Mr. Jordakian of Special Ops, investigating Leddin's comment, with a false statement that I lied on C.O. Leddin only to get a transfer.

(20) Then, another inmate also provided a false statement that I lied to get transferred, Todd Germani. He wanted 250.00 to hook me up with his attorney, Mr. Grinner out of Hyannis, get my 5,000\$ out of Pay Pal. He would sit and tell me that I would not get a transfer - Little did I know - but he wrote a statement that I made up Leddin's comment..

I was found guilty. Mr. Spino
came & gave me 10 seg days!

IX

(21) Both these inmates are notorious for their mendacity and viciousness... They are probably the most unreliable of any two. A bailiff in Barnstable told me "Todd Germani is the biggest liar and lying Rat in Cape Cod." As it stood, he was trying to scam all my money!! And almost succeeded!

(21) I also got assaulted around the time of C.O. Leddin's comment and all the abuse - by an inmate around 25 - I was 58!! He threw his tray at me yet the C.O. wrote we both did so...

(22) I had a request to transfer to my other jail except Bristol County.

(23) I was sent to Bristol County!! This 'fresh' start - found me placed in segregation pending discipline... For me throwing my tray!! Which I did not do! *

(24) My legal work was taken at entry
And given back with more than half
of it gone! STUFF we still not been
able to replace!!

(25) I was put into a filthy cell, with an overclogged toilet full of feces & urine,
and toilet paper. My cellmate looked like
A mini Osama Bin Laden - Beady eyed

X

And striking... Soon I noticed bugs on me,
in my hair, clothing.

And inmates knew my name and charges,
so it was the same above going on - I
had not spoken to a soul. Yet, they are
yelling, Steven Smith is a Skinner! He sucks
Dick! When I asked the C.O. for a plunger
and toilet paper he said, "Use your hand."
Inmates began to chant:

"NO TOILET PAPER FOR SKINNERS!!"

(26) Finally, I noticed these bugs came out
my cellmates decayed dreadlocks as if
ants at a hill!! I put some into a cup
and showed the nurse. She shrieked and
said "LICE!" 3 days later I got taken
out, treated, and given clothing.

(27) I soon became suicidal. After 7 days
I got transferred to Worcester Jail and
assigned to the Annex - a dorm for
P.C. inmates.

(28) Again, I lost more property - legal. As
per personal stuff, it was thrown away
by Barnstable transport officers... I
can't figure how much money I spent
on radios, sweets, cosmetics...

XI

(29) I was OK in Worcester—until after I went to court in Barnstable Superior. Worcester took me there but Barnstable C.O.s returned me. I seen these C.O.'s talking to Mr. Byrnes before they departed. Soon, Mr. Byrnes was harassing me... The details of which are in my Civil Action Smith vs Lewis CV3:20-30173. He was found guilty of a P.R.P.A and 10 other code of conduct violations by Internal Affairs officer Christopher Lemon...

(30) Mr. Byrnes sent inmates with bananas he provided, to shave in my face—just to say one of the abuses!

I filed a grievance on C.O. Byrnes and it had a file abuse was from him, I specifically requested not to be sent back to Barnstable!! In fact, I put up with Mr. Byrnes for over 2 months as like he threatened—if I filed a grievance I would be sent back to Barnstable!!

(31) Sure enough, even though Mr. Lemon sent me back to the dorm and said I would not be transferred, I was not there 45 minutes before told to pack up for transfer.

XII

- (32) At Burnstable, LT. Johnson went through my property. She threw out my personal photos - which I paid someone 70.00 to print and mail off FB - she tossed my books and all my personal property...
- (33) Mr. Jardakian at Special Ops, didn't want me transferred - after Leddin - he told me before I got sent to BRISTOL - "IF you ever file a false P.R.T.A or one of my officers, again - you will be criminally charged!" IT WAS NOT FALSE!!
- (34) Upon return, he summoned me, and had a smile - no doubt he was aware that all of my many complaints against C.O. Byrnes at Worcester were confirmed - including A P.R.T.A.
- (35) I soon came to learn, Mr. Jardakian, had found NO substantiation to my P.R.T.A on C.O. Leddin - based on those two, totally unreliable inmates - and both with motives to lie against me!!
- (36) I was soon moved to Berkshire County Jail... Mr Higgins assured me - "No C.O's will tell inmates your charges. You can go to general population. Just don't tell anybody your charges."

XIII

Needless to say, I was not only skeptical but scared. Basically, if an officer tells inmates you're in jail for child Rape - he is placing your life in danger. At minimum, you are going to get verbally abused with all sorts of it - from sexual to other degradations!!

(37) Mr. Higgins had not Lied. I was in general population for 11 months. I was able to live like a normal inmate. I had friends. I made a monopoly game, at my own version, and many sought to play - I had respect., I had safety.

(38) My entire time there, I would talk to Mr. Edward Coyle of Mental Health, I would talk of how I was terminatized at Barnstable and never wanted to see that horrible place again! I let him know I was grateful to be at Berkshire.

(39) AT Berkshire County Jail, signs are posted throughout the facility, that there is ZERO Tolerance for sexual harassment - or any other kind.. And they are serious.. Inmates go to seg and it's seg - for weeks, if they do!!

XIV

- (40) Mr. Tardakan conducted a sham P.R.E.A investigation, taking unreliable statements. Mr. Ledding has since my return, written me up false write ups... And still harassed me.
- (41) I went to BSIT for a 20 day eval last Dec-Jan 2021 - I got taken back here and told per Mr. Tardakan - I AM STAYING. I went on suicide watch for 7 days. They said it's a rule to get a transfer. No rule. I literally hate this facility. And the abuse. It's abuse.
- (42) Recently, I was given a cellmate, in P.C. H-Unit, that's been sent here as he caught a P.R.E.A at Bristol - with his cellmate!! He was standing up fully naked to urine and telling me he's going to shave his balls. I didn't want any cellmate, too many file FALSE P.R.E.A.s, I'm here for a Fraud - and with my case so soon to be dismissed - I'm not comfortable with any cellmate. I feel they put him into my cell as a setup!! I kept this info from other inmates by making issue over the top bunk - But I wrote to LT. Cahoon the truth. Now I'm put on AD Seg-locked in all day except 2 hours! But first...

XVI

(43) I got placed in G-unit - where the inmates did what they normally do! Yell and SCREAM at C.O. Price and DNS sat - smirking. I wrote them up... And I also wrote and told Special Ops I want to Appeal it's finding that C.O. Laddin didn't do as I claimed.

(44) While C.O. DNS sat at the desk, 6 FT from #2 Cell, That inmate yelled, non-stop, that he was going to kill me, rape, make me suck him off. Then he got on the phone, had his girl lock me up, and yelled out my charges and info all based on the DAs allegations. There's no possibility C.O. DNS didn't hear him... And he said nothing.

(45) When C.O. Price gave me "shinner rec" I told him, "Can you order this inmate to stop making sexual comments & threats to me?" He ignored me... Then as I asked again, he told me to shut up. I said, "Well, you should do your job and tell these guys that!"

He made me lock-up - 35-45 min earlier than my Rec time! I file Grievances but it's pointless! These C.O.s Face no accountability.

(46) I've already written a book, I am sorry, but if I detailed all of the abuses, and each particular instance, at this facility - it would be 150-250 pages!!

(47) The TRAUMA of this jail will stay with me the rest of my life. Things are better "than in 2018 - But Not Really!!

REDRESS

- (1) I seek a transfer back to Berkshire County Jail or to DUKES COUNTY - if my case is not dismissed 8-12-21
- (2) I seek the Sheriff to post signs similar or same as at Berkshire Jail and to enforce P.R.E.A. PROTOCOLS.
- (3) I ask that the grievance system be revamped and made legitimate.
- (4) I ask the Sheriff make C.O.s enter a training program about what it means to be a PRE-TRAIL Detainee and to hold them accountable ..
- (5) Mr. Tardorhian of Special Ops needs to be replaced or removed from any kind of investigations!!
- (6) I seek 50,000 punitive and Compensatory Damages in U.S. Dollars... to myself and Mark Rosenberg and any other

inmates that come forward to this action.

(7) I would like the Justice Dept notified of Barnstable Jail's failure to enforce P.R.E.A protocols and threaten to skip funding the program — unless they start taking it seriously.

8) As A P.C. Pre-Trial detainee, I am a Protected Class. I have rights as a human being. And even if I was guilty, its not the duty of officers to make my life a living hell, make me feel suicidal. Many times I've wished I had the raw courage to end my life rather than face another day, here, at Barnstable.

(9) I didn't committ the crime. And DNA & Hospital Report empirically prove it. But it never mattered to anyone here. I was upon entry, "A Sex Offender"

(10) Finally, I ask the Sheriff to remove all cameras, ~~info~~ from the computers the C.Os utilize — There's no penological need for them to know an inmates charges!! And, somebody with my charges, being so heinous, I should be automatically placed in a county where nobody knows.

- (11) Yet, if I were in Berkshire, And my charges were known, I sh'd would not receive the sort of abuse I have here because the officers there would not sit watching T.V. while one inmate verbally & sexually harassed another one!!
- (12) C.O.s are paid 35.00-50.00 per hour. Surely, if they value their jobs, they can enforce the Rules and do their duty - And protect the detainees from such abuses! Please, Your Honor, grant my relief!!
- Respectfully,

Steven L Smith

8-4-21

Steven L Smith # 716070
Barnstable Jail